

## OPEN MEETING ITEM

COMMISSIONERS  
Lea Márquez Peterson - Chairwoman  
Sandra D. Kennedy  
Justin Olson  
Anna Tovar  
Jim O'Connor



Matthew J. Neubert  
Executive Director  
  
Jane Rodda  
Hearing Division Director

## ARIZONA CORPORATION COMMISSION

DATE: OCTOBER 28, 2022

DOCKET NO.: W-02015A-19-0224

## TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

BEAVER VALLEY WATER COMPANY, INC.  
(AMENDS DECISION NO. 78549 *NUNC PRO TUNC*)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by efiling at <https://efiling.azcc.gov/> or filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

NOVEMBER 7, 2022

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

NOVEMBER 9 AND 10, 2022

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.


MATTHEW J. NEUBERT  
EXECUTIVE DIRECTOR

On this 28<sup>th</sup> day of October, 2022, the following document was filed with Docket Control as a Recommended Order from the Hearing Division, and copies of the document were mailed on behalf of the Hearing Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the filed document to the following who have consented to email service.

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By:

  
Grace Beltran  
Assistant to Sasha Paternoster

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 LEA MÁRQUEZ PETERSON– Chairwoman  
4 SANDRA D. KENNEDY  
5 JUSTIN OLSON  
6 ANNA TOVAR  
7 JIM O’CONNOR

8 IN THE MATTER OF THE APPLICATION OF  
9 BEAVER VALLEY WATER COMPANY, INC.,  
10 FOR APPROVAL OF A RATE INCREASE.

DOCKET NO. W-02015A-19-0224

DECISION NO. \_\_\_\_\_

**ORDER (AMENDS DECISION NO.  
78549 NUNC PRO TUNC)**

11 Open Meeting  
12 November 9 and 10, 2022  
13 Phoenix, Arizona

14 **BY THE COMMISSION:**

15 \* \* \* \* \*

16 Having considered the entire record herein and being fully advised in the premises, the Arizona  
17 Corporation Commission (“Commission”) finds, concludes, and orders that:

18 **FINDINGS OF FACT**

19 **Procedural History**

20 1. On September 30, 2019, Beaver Valley Water Company, Inc. (“Beaver Valley” or  
21 “Company”) filed an application with the Commission for approval of a rate increase.

22 2. On April 28, 2022, the Commission issued Decision No. 78549, approving rates and  
23 charges for Beaver Valley.

24 3. On October 28, 2022, the Commission’s Utilities Division (“Staff”) filed a Motion to  
25 Amend Decision No. 78549 Nunc Pro Tunc, indicating that Decision No. 78549 contains a  
26 typographical error, at page 22, line 6.5 that reads, “\*\*\*\*\* Per Commission Rules A.A.C. R14-2-  
27 403.G.6” and should be corrected to read, “\*\*\*\*\* Per Commission Rules A.A.C. R14-2-409.G.6”.

28 4. We find that the correction identified by Staff is a clerical mistake or mistake arising  
from oversight, and that it is reasonable and in the public interest to correct Decision No. 78549 *nunc  
pro tunc* to reflect the correct citation of A.A.C. R14-2-409.G.6.

**CONCLUSIONS OF LAW**

1. Beaver Valley Water Company, Inc. is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. Title 40, Chapter 2.

2. The Commission has jurisdiction over Beaver Valley Water Company, Inc. and the subject matter of the application.

3. It is reasonable and in the public interest to correct Decision No. 78549, *nunc pro tunc*, as discussed herein.

**ORDER**

IT IS THEREFORE ORDERED that Decision No. 78549 shall be amended *nunc pro tunc*, as reflected in Finding of Fact No. 4, above.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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CHAIRWOMAN MÁRQUEZ PETERSON

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COMMISSIONER KENNEDY

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COMMISSIONER OLSON

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COMMISSIONER TOVAR

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COMMISSIONER O'CONNOR

IN WITNESS WHEREOF, I, MATTHEW J. NEUBERT, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

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MATTHEW J. NEUBERT  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
SP/(gb)

SERVICE LIST FOR:

BEAVER VALLEY WATER COMPANY, INC.

DOCKET NO.:

W-02015A-19-0224

Michael Armstead

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